

**SUPREME COURT MINUTES
THURSDAY, SEPTEMBER 9, 2010
SAN FRANCISCO, CALIFORNIA**

S080477**PEOPLE v. BANKS (KELVYN
RONDELL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Allison H. Chung's representation that she anticipates filing the respondent's brief by November 9, 2010, counsel's request for an extension of time in which to file that brief is granted to November 9, 2010. After that date, no further extension is contemplated.

S105097**PEOPLE v. DUFF (DEWEY
JOE)**

Extension of time granted

Good cause appearing, and based upon counsel Jonathan P. Milberg's representation that he anticipates filing the appellant's reply brief by November 8, 2010, counsel's request for an extension of time in which to file that brief is granted to November 8, 2010. After that date, no further extension is contemplated.

S148523**RICHARDSON (CHARLES
KEITH) ON H.C.**

Order filed

The order filed on August 18, 2010, is hereby amended to read in its entirety:

The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Tulare County Superior Court, when the matter is placed on calendar, why petitioner's death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in Claim IX of the petition for writ of habeas corpus filed on December 5, 2006. (See *In re Hawthorne* (2005) 35 Cal.4th 40.)

All other claims set forth in the petition for writ of habeas corpus are denied.

Each claim is denied on the merits.

Claims I (to the extent it was raised and rejected on appeal) and XXII are also denied on the basis they were raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claims VII (except to the extent it alleges ineffective assistance of counsel) and XVI (except to the extent it alleges ineffective assistance of counsel) are also denied on the basis they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

The return is to be filed on or before October 12, 2010.